

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**SAMSUNG ELECTRONICS AMERICA,
INC.,**

Plaintiff,

V.

**YANG KUN “MICHAEL” CHUNG,
THOMAS PORCARELLO, YOUN-
CHUL “ALEX” JANG, JIN-YOUNG
SONG, AND ALL PRO DISTRIBUTING,
INC.,**

Defendants.

[illegible]

CIVIL ACTION NO. 3:15-cv-04108-L

**JOINT RESPONSE TO THE COURT’S MARCH 12, 2021 ORDER AND
REQUEST FOR ENTRY OF SCHEDULING ORDER**

Defendants All Pro Distributing, Inc. (“All Pro”) and Plaintiff Samsung Electronics America, Inc. (“Samsung”) file this Joint Response to the Court’s March 12, 2021 Order and Request for Entry of Scheduling Order. [*See* Dkt. 469]

I. BACKGROUND

On March 12, 2021, the Court entered a Memorandum Opinion and Order resolving various pending motions and directing Samsung and All Pro to inform the Court in writing no later than April 2, 2021, “whether they can resolve the remaining claims in this action without further court involvement.” (Dkt. 469 at 47). The Order states that the Court’s docket and COVID-19 restrictions make scheduling a lengthy and complex trial difficult, such that “this case cannot be tried until Spring or Summer 2022.” (*Id.*) The Court concludes that “[i]f no

resolution is achieved, the court will issue its Seventh Amended Scheduling Order, setting this case for trial at the time previously indicated.” (*Id.*).

II.
RESPONSE TO COURT’S ORDER AND
REQUEST FOR ENTRY OF SCHEDULING ORDER

Counsel for All Pro and Samsung exchanged email correspondence and engaged in a telephone conference on April 1, 2021, regarding this Response to the Court’s Order. In light of the Court’s March 12, 2021 Order, the Parties have re-engaged in discussions about the possibility of resolving this matter without the need for further court involvement. However, because the Parties have not reached a resolution to-date, the Parties, with the understanding that limitations on the Court’s docket will force the trial date into the Spring or Summer of 2022, request that the Court enter a Seventh Amended Scheduling Order.

The Parties will to continue to communicate regarding resolving this case without the need for trial and will inform the Court in the event a settlement is reached.

Respectfully submitted,

By: /s/ Benjamin L. Riemer with permission

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CERTIFICATE OF SERVICE

On April 2, 2021, I electronically submitted the foregoing document with the clerk of the court, using the electronic case filing system of the court. I hereby certify that I have served all parties of record electronically as authorized by Federal Rule of Civil Procedure 5(b)(2):

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